**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIE E. MAPP,

        Petitioner,

                                      CASE NO. 2:16-CV-00761

    v.   **JUDGE GEORGE C. SMITH**

                                         MAGISTRATE JUDGE JOLSON

**NORTH CENTRAL
CORRECTIONAL COMPLEX,**

        Respondent.

OPINION AND ORDER

On August 19, 2016, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that this action be transferred to the United States Court of Appeals for the Sixth Circuit as a successive petition. (ECF No. 7). Petitioner has filed an *Objection* to the Magistrate Judge's *Report and Recommendation*. (ECF No. 8).

Petitioner objects to the Magistrate Judge's recommendation that this case be transferred to the Court of Appeals as successive. Petitioner claims that his sentence is void because the trial court failed to provide him with proper post-release control notification under Ohio law, that he has been denied due process and equal protection, and that application of the doctrine of *res judicata* would serve an injustice. Petitioner requests that his void sentence be remanded to the trial court for a re-sentencing hearing.

However, as noted by the Magistrate Judge, this is not Petitioner's first federal habeas corpus petition. Petitioner's claims could have been raised, but were not, in his prior federal habeas corpus petition. Under these circumstances, this Court lacks jurisdiction absent authorization from the Sixth Circuit.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. For the reasons that follow, Petitioner's *Objection* (ECF No. 8) is **OVERRULED.** The *Report and Recommendation* (ECF No. 7) is **ADOPTED** and **AFFIRMED**. This action is hereby **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit as a successive petition.

IT IS SO ORDERED.

*s/ George C. Smith*_____
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT